C.F. 71 & 72.

1932

Department of Land Rev Sec

OFFICE Bd of Rev

STATION Madras

Mis

No. 2146

R 9325

Dated 15-7-32

	Date	Initial
To whom sent		
	Given for copying	
	Copied	
	Examined	
	Signed	
	Given for despatch	DES 18 JUL 1932
	Despatched	
	Indexed	
Pages in the file	To be destroyed on*	

(SUBJECT.)

Alienation: Land and Rev (S Kanara
Mangalore Dt - Kadri Vge - S.No 339-A-1A &
339-A-1-B- Market and cemetery Sites
The Municipal Council, Mangalore

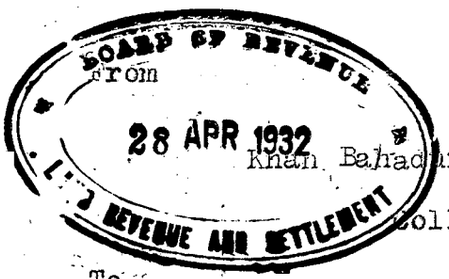
Sir
I have to command

Not to be filled in in the case of permanent records.

B232 Encls.

Ref.C.No.9273-31-A.6. South Kanara Collector's Office,

Camp Panemangalore, 22-4-1932.



From

Khan Bahadur J. Hussain, Bar-at-law,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue and Settlement,

M a d r a s.

Sir,

Alienation - Land and Revenue - (South Kanara District) - Mangalore Taluk - Kadri village - T.S.No.339/A1A measuring 22216 Sq.ft. for a market - T.S.No.339/A1B measuring 2 acres 10018 Sq.ft. for a recreation ground - Mangalore Municipal Council - recommended.

The Municipal Council Mangalore applies for the ----- alienation of T.S.No. 339/A1A of Kadri village for a market site, and T.S.No. 339/A1B for a recreation ground.

2. Both plots are within the town limits of Mangalore and there is a market in S.No.339/A1A.

3. The Municipal Council is willing to abide by the following conditions:-

(1) The land and the building thereon shall be used for the purpose of a market and recreation ground respectively and for no other purposes.

T.S.No.339/A1A measuring 22216 Sq.ft.for a market

T.S.No.339/A1B measuring 2 acres 10018 Sq.ft.for a recreation ground.

(2) The grantee shall maintain the market building in S.No.339/A1A in good condition. Such repairs as the Collector may consider necessary from time to time shall be executed by the grantee within such time as the Collector may fix and to his satisfaction. In the event of default, the repairs shall be carried out by the Collector and the cost thereof recovered from the grantee.

(3) No alterations other than those necessary to keep the building in S.No.339/A1A in good condition shall be made to the existing building nor shall any new building

both the sites without the previous permission of the Collector.

(4) No part of the land set aprat for the recreation ground shall in any way, be built upon without the previous sanction of the Collector.

(5) The Government may resume the land wholly or in part, with any buildings thereon;

(a) if the plots are not used for the specific purpose for which they were granted, or

(b) if the conditions on which they were granted cease to be fulfilled, or

(c) if the lands are in the opinion of the Government required for public purposes or for conducting mining ------ operations.

(6) In the event of such resumption, if there are buildings on the lands except those now existing or those constructe in contravention of conditions (3) and (4), the Government may at their option either

(a) purchase the buildings;

(b) allow the grantee to purchase the land at their value on the date of sale; or

(c) direct the grantee to remove the buildings.

(7) In the event of the resumption of the lands with any buildings thereon, no compensation whatever shall be paid by the Government in respect of the building now standing in S.No. 539/A1A on the land, or buildings constructed in contravention of conditions (3) and (4).

(8) In the event of the resumption of the land followed by the purchase of the buildings under condition (6) (a) or in the event of the acquisition of the land for any other reason, the compensation payable therefor shall in no case exceed the initial cost or the value at the time of resumption or acquisition, whichever shall be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant or under the previous permission obtained from the Collector under condition (3)

or (4) as the case may be.

(9) In the event of the grantee refusing to remove the buildings when so directed under condition (6) (c) the Government may remove them and realize the cost of removal by the sale of the materials.

(10) In the event of the voluntary relinquishment of the lands by the grantee, no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the lands by the grantee at his cost.

4. The trees on the two plots are valued at Rs.42-12-0. They are avenue trees conserved by the Municipality. therefore recommend that their value may be waived, and the alienation of S.No.339/A1A for a market site, and S.No.339/A1B for a recreation ground may be sanctioned.

5. Alienation statements with eyesketch in duplicat are enclosed.

pps to 9 cf
pp 11 to 13 cf

A Kuthuswami 25/4/82

For Collector.

25.4.82

5

Application for the alienation of land in which the proprietary right belongs to the State.

District: South Kanara.

1. Description and area.	T.S.No.339/A1A of Kadri village in Mangalore Taluk measuring 22216 Sq.feet.
2. Market value.	Rs.765 ~~at per~~ Rs.1500/- per acre
3. Alienees and purpose of alienation.	The Municipal Council, Mangalore For a market.
4. Collector's remarks.	Recommended.

South Kanara Collector's Office,
Camp Panemangalore, 22-4-1932.

For Collector.

25.4.32

2468 Sgnyds.

Application for the alienation of land in which the proprietary right belongs to the State.

District - South Kanara.

---

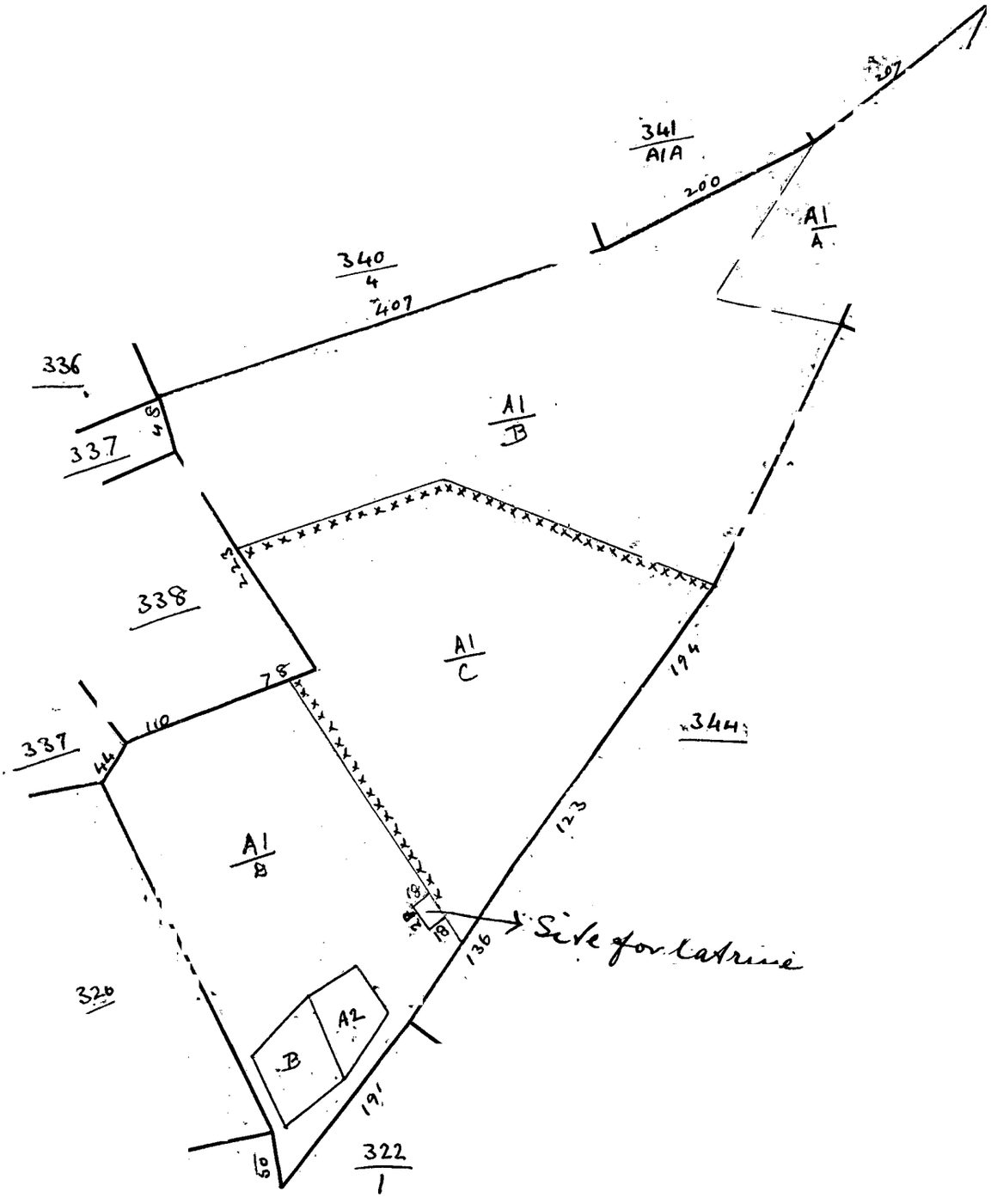
1. Description and area.	T.S.No.339/A1B of Kadri village in Mangalore Taluk, measuring 2 acres 10018 square feet.
2. Market value.	Rs.3344-15-7 at the rate of Rs.1500 per acre.
3. Alienees and purpose of alienation.	The Municipal Council, Mangalore. For recreation ground.
4. Collector's remarks.	Recommended.

South Kanara Collector's Office,
Camp Panemangalore, 22. 4. 1932.

For Collector.

25.4.32

District South Canara S. No. 204 Village Kadri
Taluk Mangalore T. S. No. 339



Scale 11, 4 ch = one Chain or 66 ft.

S. [illegible]
Kanthi

Leider '59

11

Survey No. & Sub-Div.		Description	Parks
340	4	Arisen edwaste	
341	A1-A	do	
343		Poramboke	
344		do	Municipal Road
322		do	
326		do	
337		Arisen edwaste	
336		Poramboke	
339	B	Key	Ho. land of V. Vasudevan
339	A2	do	Ho. land of H. R. Baskian
339	A1A	Arisen edwaste	The plot proposed to be alienated in favour of the Municipality M. C. for a Market
339	A1B	do	do — do — for Recreation
339	A1C	do	The Travellers Bungalow & Compound
339	A1D	do	
338		do	M. Sivaram

Plan
Revd
10.1.62

13/15

Subject.

XII-A-19—30,004—2-2-31 (6)

FOR MEMBER.
AS.(R)

Alienation Land ~~and~~ Rev(S) Kanavai - Mayaur Taluk. Cad — V.Sf. T.SNos 335-A1A & 339:A1.B market and ~~ee~~ Recreation Ground - The Municipal Council, Mayuram

READ AGAIN, B. P. No. _____, dated 29/4/1932

" " " _____, " _____ 193

READ ALSO :—

Register No. _____ From the B 2325/32, No. 9, dated 30/3/1932

" _____, " " _____, _____, " _____ 193

" " _____, " " _____ " " _____, " _____ 193

6.32

RESOLUTION. Revenue B 2325/32-1 No. _____, dated 29/4/1932

The collector is requested to report:—
(i) How long the Municipal Council has been in enjoyment of T.S.No. Sites
(ii) Why the alienation proposals were not submitted earlier
(iii) The circumstances in which the Municipal Council was allowed to encroach on the sites and construct the buildings,

DESPATCHED
30 APR 1932

14 76

(iv) the value of the buildings (market) existing on the Sites, ~~and~~

(v) whether back ground rent should not be collected from the Municipal council for the extent covered by the market and whether it agrees to pay the back ground rent ~~arrears~~ and

(vi) whether the recreation ground is intended for public use or will be attached to any Municipal School

29 & 30 29.4.32.

T

The Secy of S. Kanara

The collector letter does not show

(1) how the plots are registered in the accounts and

(2) whether the recreation ground is intended for public use or will be attached to any municipal School.

2 Sec think the plan gives the description.

B33384

Ref.C.No.9273-31-A6. South Kanara Collector's Office,

Mangalore, 15th June 1932.

From

Khan Bahadur J. Hussain, Bar-at-Law,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue and Settlement,

M a d r a s.

Sir,

Alienation - Land and Revenue - (South Kanara) - Mangalore Taluk - Kadri village - T.S.Nos.339/A1A and 339/A1B - Market and recreation ground - The Municipal Council,Mangalore - Board's Ref. B No.2325-32-1, Land Revenue & Settlement, dated 29.4.1932.

******

Paragraph (i) of the Board's reference.

The market building was constructed by the Municipality on S.No.339/A1A in 1927. Except this, there are no other traces of enjoyment by the Municipality on the sites.

Paragraph (ii).

It was thought that the Kadri Maidan was vested in the Municipality. The Council objected to the construction of an inspection bungalow in S.No.339/A1C in 1929. It was finally decided in G.O.No. Misc. 597 L. & M., dated 14.2.1930,communicated in B.P. Routine No.1335, Land Revenue and Settlement, dated 19.2.1930 that the Maidan neither belonged to the Municipal Council nor vested in it. Since then the matter has been under correspondence.

Paragraph (iii).

Since the land is situated within the town limits, the Municipal Council entered upon the plot, apparently on the ---- assumption that it was vested in it, and that no previous sanction

16 -2-

of the Revenue Department was necessary.

Paragraph (iv).

The market value of the building is Rs.1.198-0-0.

Paragraph (v).

The extent covered by the market building is 3.72 cents. Back ground rent has to be collected for this from 1927. The Council is willing to pay this.

Paragraph (vi).

The recreation ground is intended for the use of the --- public.

16.6.32

For Collector.

16.6.32

DESPATCHED
29 JUN 1932

17

Alienation - Land & Revenue - ~~Buildings~~ (S. Kanara)

Mangalore ~~or town~~ taluk Kadri village

J.S. Nos 339-A1A & J. S.No. 339-A1-B

market & Recreation ground

Municipal council, Mangalore

Recommended ~~Sanctioned~~.

B3334/32 Q pp 17+18 cf

REFERENCE ~~RESOLUTION~~. B2325-32-2 of 27-6-32

At the instance of the Collector of South Kanara the Board recommends ~~sanctions~~ the alienation of the plots of land comprised in S.Nos 339-A1A & 339-A-1B of Kadri village Mangalore taluk, measuring ~~Rs.~~ 22216 sq/feet + 2 acres + 10018 sq/ft respectively in favour of the Municipal council, Mangalore for use as the site of a market and recreation ground

(X)
S.No. Purpose
339-A1A - market
339-A1B - Recreation ground

(X)

2. The lands are registered as assessed waste in the accounts. The Municipal council was under the impression that the Kadri Maidan vested in it and constructed the market buildings. It was decided in S.M. O/597 LTM of 14.2.32 that the maidan neither vested in the Municipal council nor belonged to it. The market building covers an extent of 3.72 cents and its market value is estimated at Rs 1198/=. The Municipal council is willing to pay back assessment for the market from 1987-88. The recreation ground is intended for the use of the public. There are trees valued at Rs 42-12-0 on the lands. The collector recommends that the collections of tree value may be waived as they were conserved by the Municipal council. The Board supports the Collector's recommendation.

Issued to Collector 1597 (V)

~~(2)~~ 9

3. The alienation will be free of charge for the occupancy right and free of ~~assessment~~ / ground rent in respect of S No 339-A1-B but subject to ~~assessment~~ / ground rent for S No 339-A1A & which will be liable to revision at every resettlement and subject to the payment ~~of Rs.~~ back assess ground rent from 1927 for the market ~~being the value of the trees standing on the land~~ and subject also to the following conditions to which the alienee has agreed:-

(i) The land shall be used as the site of a market and recreation ground and for no other purpose

(ii) No building shall be constructed on the extent set apart for the recreation ground and no fresh building shall be constructed ~~on the~~ in T.S No 339+A1-A without the previous permission of the Collector of the district.

(iii) The grantee shall ~~execute~~ keep the aforesaid buildings in good condition and shall execute the necessary repairs whenever required by the Collector so to do.

(iv) The Government may resume the land wholly, or in part with the buildings thereon in the event of the infringement of any of the conditions of the grant or if in the opinion of the Government, the land is required for a public purpose or for conducting mining operations.

(v) In the event of such resumption, if there are buildings on the land, the Government may at their option, either,

~~(5)~~ 21

(a) purchase the buildings, or

(b) allow the grantee to purchase the land at its value on the date of sale, or

(c) direct the grantee to remove the buildings.

(VI) In the event of the resumption of the land followed by purchase of the buildings under clause (V) (a) or in the event of the acquisition of the land for any other reason, the compensation payable therefor shall in no case exceed the initial cost or the value at the time of resumption or acquisition, - whichever shall be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Govt in respect of the buildings constructed in contravention of condition (i)

(VII) In the event of the grantee refusing to remove the buildings when so directed under clause (V) (c) the Government may remove them and realise the cost of removal by the sale of the materials.

(VIII) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected, or other works that may have been executed on the land by the grantee at ~~his~~/its cost.

To the Secretary to Government, Revenue Department, with alienation statements and a sketch.

~~To the Collector of~~

(pp. 5 to be copied and sent). (p.13 in original)

SECY.
13 JUL 1932

GOVERNMENT OF MADRAS

BOARD OF REVENUE
13 JUL 1932
LAND REVENUE AND SETTLEMENT

Received. 1932. Registered 1932.

Abstract.

Alienation - Land and Revenue - (South Kanara) - Mangalore Taluk - Kadri Village - T.S.No.339-A-1-A and 339-A-1-B--Market and recreation ground - Municipal Council, Mangalore - Sanctioned.

REVENUE DEPARTMENT.

G.O.No.1450 Revenue dated 12th July, 1932.

Read the following:-

From the Board of Revenue(L.R.&S)Ref.No.B.2325/32-2 dated 27-6-32.

O R D E R:-

The Government sanction the alienation of the plots of land in S.Nos.339-A-1-A and 339-A-1-B measuring 22216 Sq.ft and 2 acres and 10018 Sq.ft respectively, in Kadri Village, Mangalore Taluk, South Kanara District, in favour of the Municipal Council, Mangalore for use as the site of ~~the~~ market and recreation ground as noted in the margin.

T.S.No.339-A-1-A-Market " " 339-A-1-B-Recreation ground.

2. The alienation will be free of charge for the occupancy right and free of ground rent in respect of T.S.No.339-A-1-B but subject to the payment of ground rent for T.S.No.339-A-1-A the ground rent being liable to revision at re-settlements and subject to the payment of back ground rent from 1927 for the market and subject also to the following conditions:-

(1) The land shall be used as the site of a market and recreation ground and for no other purpose.

(2) No building shall be constructed in T.S.No.339-A-1-B and no fresh building shall be constructed in T.S.No.339-A-1-A without the previous permission of the Collector of the District.

District.

(3) The grantee shall keep the market buildings in good condition and shall execute the necessary repairs whenever required by the Collector to do so

(4) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant, or if, in the opinion of the Government, the land is required for a public purpose, or for conducting mining operations.

(5) In the event of such resumption, if there are buildir on the land, the Government may, at their option, either

(a) purchase the buildings, or

(b) allow the grantee to purchase the land at its value or the date of the sale, or

(c) direct the grantee to remove the buildings.

(6) In the event of the resumption of the land followed by purchase of the buildings under condition (5)(a), or in the event of the acquisition of land for any reason, the compensation payable therefor shall in no case exceed the initial cost, or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (2).

(7) In the event of the grantee refusing to remove the buildings, when so directed under condition (5)(c), the Government may remove them and realise the cost of the removal by the sale of the materials.

(8) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for

any improvements that may have been effected or other works that may have been executed on the land by the grantee at its cost.

3. The Government accept the Collector's recommendation that the collection of the tree value should be waived.

(By Order of the Governor in Council).

J.A.THORNE,
Secretary to Government.

To

The Board of Revenue(L.R.&S).

The Local Self Government Department.

The Chairman, Municipal Council, Mangalore.
(thro' Local Self Government Department).

Forwarded.

(By Order)

M.R.S.

SUPERINTENDENT.

R. F. XXII-A-19--30.004—2-2-31 (6)

Subject 29

FOR MEMBER.

Alienation - Land and Rev (S. Kanara). Mangalore Taluk - Kadri Vge. T.S.No 339 - A - 1 A & 339 - A - 1 - B Market and recreation Grounds - The Municipal Council Mangalore - Sanctioned. to comm

READ AGAIN B. P. No. _____, dated _____ 193

" " " _____, " _____ 193

READ ALSO :—

Register No. _____ From the B 2325/32, No. Q, dated pp 18 3 193

" " _____ " " B 3334/32, Q, pp 15 & 16 193

" " _____ " " B 3893/32 " " A, " pp 23 & 27 193

RESOLUTION (Mis) No. 2146 dated 15 - 7 193 2

To

The Coll.r of S. Kanara.

Communicated to the Collector of South Kanara

EKS

15.7.32

15/7

Issue

15/7

MJ
AS(R)

Note file

Alienation. Laws Hen (S. Kanara) - Mangalore Kadri VJ - D. SNos 339-A1A & 339-A1-B - Market & recreation ground

Alienation pp 5 to 9 Cs
Sketch p. 11 Cs

B2325/32 pp 1 to 3 Cs
B 3334/32 pp 17 to 18 Cs.

To AS (R.E)

Please see the Collectors Report at pp 1 to 3 Cs, the Boards reference at pp 15 to 16 Cs and the collector's reply at pp 17 & 18 Cs.

2 The alienation proposals are complete and may be recommended to Govt for sanction subject to the payment of ~~each~~ assessments from ~~the~~ year 1927 in respect of the market.

3 There are ~~two~~ trees valued at Rs 42-12-0. The Director recommends that the collection of tree value may be waived as the trees have been conserved by the Municipal council. The Board may agree with him.

5

SECY.
25 JUN 1932

24.6.32.

23/6/32

To AS. (LR)

Draft Subd.

Encl
25 Gm

Issued as Bdi Ref B 232/32-2
27.6.32
PP 1/10 21 CB
PP 23/10 27 CL

B 38 93/32

To A S. (L.R)

Draft Subd.

Encl
25.7.32